THE HON'BLE SRI JUSTICE B. PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN
WRIT PETITION No. 14818 of 2005

Date: 15.06.2006

Between:

JUDGMENT: (Per Hon'ble Sri Justice B. Prakash Rao)

G. Venkateshwarlu.

… Petitioner

and

1. The Chief Commissioner of Income Tax, Andhra Pradesh, Hyderabad-1and two others.

… Respondents.

THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 14818 of 2005

JUDGMENT: (Per Hon'ble Sri Justice B. Prakash Rao)

Heard Sri J. Sudheer, learned Counsel appearing for the petitioner and also Sri B. Narasimha Sarma, learned Standing Counsel appearing for the respondents and at their request the main writ petition itself is taken up for disposal.

The petitioner herein filed this writ petition *inter alia* seeking to assail the orders of the Tribunal rejecting his application filed under Section 19 of the A.P. Administrative Tribunal in O.A.No. 1051 of 2004 dated 04.04.2005 and raises several grounds especially on the aspect that in spite of the fact that he has adduced substantial cases of evidence including the letters dated 21.03.2001, 11.02.2002, 12.08.2003 and 19.11.2003 to support his case, however, the same was not properly considered and the same was rejected.

Having heard the Counsel on either side and also perused the material on record instead of going into the merits of the case, we deem it appropriate, in the interest of justice, to direct the respondent to consider the case of the petitioner afresh on the basis of the said documents which are sought to be placed reliance and pass orders accordingly.

The writ petition is accordingly disposed of permitting the petitioner to file a fresh representation within a period of three weeks from today along with the copies of those documents on which, the petitioner seeks to place reliance and the respondent shall consider the same and pass orders on merits in accordance with law, within four weeks thereof, uninfluenced by any of the findings given by the Tribunal in any of these proceedings.

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B. PRAKASH RAO, J

Date: 15.06.2006

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RAMESH RANGANATHAN, J

MRKR